

You may have heard about the changes to Michigan No-Fault effective July 1, 2020. For the most part, these changes are not good, but they are the law, and we all have to deal with them.

I have set up a chart, that I think explains pretty well, the old priority rules, the changes to the rules, and examples of how the changes work.

If your head spins, trying to plow your way through this, take heart: it does for most lawyers and judges as well. Just know this: Call JON FRANK at [THE FRANK LAW FIRM, PC](http://www.thefranklawfirm.com), (586) 727-1900

CATEGORY	OLD	NEW	EXAMPLES
GENERAL RULE	LOOK TO YOUR OWN INSURER §3114(1)/ §3115(1)	LOOK TO YOUR OWN INSURER <a href="#">§3114(1)</a> / <a href="#">§3115(1)</a>	YOU ARE INSURED BY STATE FARM; OTHER DRIVER IS INSURED BY ALLSTATE ----- BOTH OLD & NEW: YOU GET YOUR MEDICAL/WAGE LOSS/MISC BENEFITS FROM STATE FARM – YOUR OWN INSURANCE COMPANY  NO CHANGES
EXCEPTIONS TO GENERAL RULE: COMMON CARRIERS – §3114(2)	OPERATOR/PASSENGER GETS PIP FROM NO-FAULT INSURANCE CARRIER OF MOTOR VEHICLE INVOLVED IN ACCIDENT. (IN OTHER WORDS, NOT THE BUS, THE OTHER VEHICLE)  EXCEPTIONS IN §3114(2) REQUIRE YOU TO NOTIFY THE PASSENGER’S OWN NO-FAULT CARRIER. <i>DISCUSS THIS WITH JON FRANK</i>	OPERATOR/PASSENGER GETS PIP FROM NO-FAULT INSURANCE CARRIER OF MOTOR VEHICLE INVOLVED IN ACCIDENT. (IN OTHER WORDS, NOT THE BUS, THE OTHER VEHICLE)  EXCEPTIONS IN §3114(2) REQUIRE YOU TO NOTIFY THE PASSENGER’S OWN NO-FAULT CARRIER. <i>DISCUSS THIS WITH JON FRANK</i>  SAME STATUTE -- <a href="#">§3114(2)</a>	YOU ARE INSURED BY STATE FARM, AND ARE RIDING ON A BUS, WHICH IS STRUCK BY AN ALLSTATE INSURED ----- OLD GENERAL RULE: YOU GET YOUR MEDICAL/WAGE LOSS/MISC BENEFITS FROM ALLSTATE –INSURANCE COMPANY FOR THE MOTOR VEHICLE INVOLVED IN THE ACCIDENT  THIS DOES NOT APPLY TO PASSENGERS OF PUBLICLY OPERATED (E.G., CITY) BUSES, WHO GET THEIR NO-FAULT FROM THEIR OWN CARRIER; IF THEY DON’T HAVE COVERAGE, THEY GET IT FROM THE PUBLIC/NON-PROFIT COMPANY  NEW GENERAL RULE - SAME SAME STATUTE -- <a href="#">§3114(2)</a>  <i>DISCUSS THESE EXCEPTIONS WITH JON FRANK</i>
EXCEPTIONS TO GENERAL RULE: EMPLOYER FURNISHED – §3114(3)	OPERATOR/PASSENGER GETS PIP FROM NO-FAULT INSURANCE CARRIER OF EMPLOYER FURNISHED MOTOR VEHICLE	UNCHANGED FROM OLD LAW, WHERE THERE WAS NO CHOICE FOR THOSE WHO CLAIM FROM THE POLICIES OF OTHERS  SAME STATUTE -- <a href="#">§3114(3)</a>	YOU ARE INSURED BY STATE FARM, EMPLOYER IS INSURED BY FARMERS; STRUCK BY VEHICLE INSURED BY ALLSTATE  PIP SHOULD COME FROM FARMERS, AS INSURER FOR THE EMPLOYER-FURNISHED VEHICLE – <i>UP TO THEIR LIMITS UNDER <a href="#">§3107c</a></i> ; BEST TO PUT ALL INSURERS ON NOTICE

<p>EXCEPTIONS TO GENERAL RULE: MOTORCYCLES – §3114(5)</p>	<p>THERE IS A PRIORITY FOR MOTORCYCLES:</p> <ol style="list-style-type: none"> <li>1. INSURER OF OWNER OR REGISTRANT OF MOTOR VEHICLE</li> <li>2. INSURER OF OPERATOR OF MOTOR VEHICLE INVOLVED IN ACCIDENT</li> <li>3. INSURER OF OPERATOR OF MOTORCYCLE INVOLVED IN ACCIDENT</li> <li>4. INSURER OF OWNER OR REGISTRANT OF MOTORCYCLE INVOLVED IN ACCIDENT</li> </ol> <p><i>DISCUSS THESE EXCEPTIONS WITH JON FRANK</i></p>	<p>UNCHANGED FROM OLD LAW, WHERE THERE WAS NO CHOICE FOR THOSE WHO CLAIM FROM THE POLICIES OF OTHERS</p> <p>SAME STATUTE -- <a href="#">§3114(5)</a></p>	<p>UNDER MICHIGAN LAW, MOTORCYCLES <u>ARE NOT</u> “MOTOR VEHICLES”</p> <p>YOU ARE ON MOTORCYCLE, INSURED BY STATE FARM; YOU HAVE ACCIDENT WITH MOTOR VEHICLE INSURED BY GEICO... WHICH IS BEING DRIVEN BY SOMEONE WHO IS THEMSELVES INSURED BY AUTO OWNERS PRIORITY – YOU GET YOUR PIP FROM:</p> <p>1<sup>ST</sup>: INSURER OF MOTOR VEHICLE – GEICO</p> <p>2<sup>ND</sup>: INSURER OF OPERATOR – AUTO OWNERS</p> <p>3<sup>RD</sup>: INSURER OF MOTORCYCLE – YOUR INSURER, STATE FARM</p> <p>SAME STATUTE -- <a href="#">§3114(5)</a></p> <p><i>DISCUSS THESE EXCEPTIONS WITH JON FRANK</i></p>
<p>UNINSURED PASSENGERS – §3114(4)</p>	<p>CLAIM FROM VEHICLE OCCUPIED – §3114(4)</p>	<p>NEW: UNINSURED OCCUPANTS MUST NOW GO TO MACP, AND FACE \$250K CAP ON BENEFITS</p> <p>– <a href="#">§3114(4)</a></p> <p>MACP RULES:  <a href="#">§3171</a>  <a href="#">§3172</a>  <a href="#">§3173</a>  <a href="#">§3173a</a>  <a href="#">§3174</a>  <a href="#">§3175</a></p>	<p>BIG CHANGE HERE</p> <p>UNINSURED PASSENGER, RIDING IN VEHICLE INSURED BY STATE FARM</p> <p>OLD: UNINSURED PASSENGER GOT NO-FAULT BENEFITS FROM STATE FARM, WITHOUT DOLLAR LIMIT</p> <p>NEW: UNINSURED PASSENGER MUST APPLY TO MACP (ASSIGNED CLAIMS FACILITY), AND GET A CARRIER ASSIGNED TO PAY BENEFITS; THAT CARRIER WILL HAVE A LIABILITY LIMIT OF \$250,000.00  <a href="#">§3114(4)</a>, <a href="#">§3172</a>, <a href="#">§3107c</a></p>
<p>UNINSURED PEDESTRIANS – §3115(1)</p>	<p>CLAIM FROM VEHICLE INVOLVED – §3115(1)</p>	<p>NEW: UNINSURED NON-OCCUPANTS (PEDESTRIANS) MUST NOW GO TO MACP, AND FACE \$250K CAP ON BENEFITS</p> <p>– <a href="#">§3115(1)</a></p> <p>MACP RULES:  <a href="#">§3171</a>  <a href="#">§3172</a>  <a href="#">§3173</a>  <a href="#">§3173a</a></p>	<p>BIG CHANGE HERE</p> <p>UNINSURED PEDESTRIAN, STRUCK BY VEHICLE INSURED BY STATE FARM</p> <p>OLD: UNINSURED PEDESTRIAN GOT NO-FAULT BENEFITS FROM STATE FARM, WITHOUT DOLLAR LIMIT</p> <p>NEW:</p>

		<a href="#">§3174</a> <a href="#">§3175</a>	ALL UNINSURED PEDESTRIANS MUST APPLY TO MACP (ASSIGNED CLAIMS FACILITY), AND GET A CARRIER ASSIGNED TO PAY BENEFITS; THAT CARRIER WILL HAVE A LIABILITY LIMIT OF \$250,000.00 <a href="#">§3115</a> , <a href="#">§3172</a> , <a href="#">§3107c</a>
INSURER OF LAST RESORT – MACP §§3171-3175	GO TO MACP – CARRIER ASSIGNED TO PAY BENEFITS WITHOUT DOLLAR LIMIT	GO TO MACP (\$250K CAP)  MACP RULES: <a href="#">§3171</a> <a href="#">§3172</a> <a href="#">§3173</a> <a href="#">§3173a</a> <a href="#">§3174</a> <a href="#">§3175</a>	UNINSURED VEHICLE STRIKES UNINSURED PEDESTRIAN, OR STRIKES ANOTHER UNINSURED VEHICLE WITH “INNOCENT” UNINSURED PASSENGER ON BOARD  GO TO MACP (\$250K CAP)  MACP RULES: <a href="#">§3171</a> <a href="#">§3172</a> <a href="#">§3173</a> <a href="#">§3173a</a> <a href="#">§3174</a> <a href="#">§3175</a>

Again, the best thing you can do, is to make sure you are discussing this with a knowledgeable no-fault attorney. . Call JON FRANK at [THE FRANK LAW FIRM, PC](#)